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HUMAN RIGHTS AND DEMOCRATIZATION IN UZBEKISTAN AND TURKMENISTAN

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**A Report Prepared by the Staff of the
Commission on Security and Cooperation in Europe**

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ABOUT THE ORGANIZATION (OSCE)

The Conference on Security and Cooperation in Europe, also known as the Helsinki process, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. Since then, its membership has expanded to 55, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia. (The Federal Republic of Yugoslavia, Serbia and Montenegro, has been suspended since 1992, leaving the number of countries fully participating at 54.) As of January 1, 1995, the formal name of the Helsinki process was changed to the Organization for Security and Cooperation in Europe (OSCE).

The OSCE is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, it undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating States.

The OSCE has its main office in Vienna, Austria, where weekly meetings of permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations and periodic consultations among Senior Officials, Ministers and Heads of State or Government are held.

ABOUT THE COMMISSION (CSCE)

The Commission on Security and Cooperation in Europe (CSCE), also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance with the agreements of the OSCE.

The Commission consists of nine members from the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

To fulfill its mandate, the Commission gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public by convening hearings, issuing reports reflecting the views of the Commission and/or its staff, and providing information about the activities of the Helsinki process and events in OSCE participating States.

At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

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INTRODUCTION

After Turkmenistan and Uzbekistan became independent and sovereign countries, their leaders freely committed their respective countries to the Helsinki Final Act and the full body of provisions delineated in the documents of the Organization for Security and Cooperation in Europe (OSCE). Since 1992, each has enjoyed the privileges of membership, as well as the responsibilities and obligations incumbent on each OSCE participating State. By January 1999, the OSCE had opened offices in Uzbekistan, Kazakstan, Kyrgyzstan and Turkmenistan. In November 1999, both President Saparmurat Niyazov of Turkmenistan and Uzbekistan's President Islam Karimov joined other Heads of State and Government at the OSCE Summit in Istanbul.

The Commission on Security and Cooperation in Europe (the Helsinki Commission) has issued periodic reports on human rights and democratization in the countries of Central Asia, including analyses of elections. On October 18, 1999, the Commission held a hearing on Democratization and Human Rights in Uzbekistan, which examined the country's arrested democratic development, the crackdown on religious freedoms, and the violation of basic human rights, as well as U.S. bilateral and multilateral policies affecting relations with Tashkent. A similar hearing on Turkmenistan took place on March 21, 2000.

This report is based on a Helsinki Commission staff delegation to Uzbekistan and Turkmenistan from December 10-18, 1999. Though both countries held parliamentary elections in December, the Commission did not observe either; the human rights situation in Uzbekistan and Turkmenistan makes it impossible to hold elections that might meet even the most minimal OSCE standards. Instead, the delegation's primary goals were: to meet with human rights activists (where possible) and members of religious groups under pressure from the authorities; to confer with the U.S. Embassies and OSCE institutions in both capitals; to convey concerns about human rights to government officials; and to gather information for this report.

In Uzbekistan, Commission staff met with Talib Yaqubov and Vassiliya Inoyatova, of the Human Rights Society of Uzbekistan; Mikhail Ardzinov, of the Independent Human Rights Organization; and representatives of various religious groups. Among officials, Commission staff met with Minister of Justice Sirojiddin Mirsafaev; Isam Mustafaev of the Ministry of Foreign Affairs; Sayfullo Asatov of the Ministry of Internal Affairs; Shoazim Minovarov, Chairman of the Council on Religious Affairs; Akmal Saidov, Chairman of the Human Rights Institute; and Sayora Rashidova, Human Rights Ombudsman.

In Turkmenistan, Commission staff met with Deputy Foreign Minister Yolbarf Kepbanov; Vladimir Kadyrov, Director of the Human Rights Institute; and Murad Harriev, Deputy Chairman of the Council on Religious Affairs and other Council members. Although Commission staff briefly met with Nurberdy Nurmamedov, leader of the unregistered opposition group Agzybirlik, it was not possible to continue the conversation or to meet with other human rights or political activists. Commission staff did, however, meet with representatives of various religious groups and viewed the rubble of the Seventh Day Adventist Church demolished by government order in Ashgabat.

The Helsinki Commission wishes to express its gratitude to Ambassador Joseph Presel and the staff of the U.S. Embassy in Tashkent, and to Ambassador Steven Mann and the staff of the U.S. Embassy in Ashgabat for the assistance provided to the delegation.

UZBEKISTAN

EXECUTIVE SUMMARY

- Uzbekistan's President Islam Karimov claims his country is gradually progressing towards democratization. Parliament has passed laws protecting human rights, Uzbekistan has ratified any number of international conventions, and state institutions have been created to foster observance of human rights commitments and to promote public awareness of them.

- Nevertheless, there has been no liberalization of society nor any convincing evidence of serious intentions in that direction. No political opposition is permitted, nor is any likely in the foreseeable future. Censorship remains in place; those who distribute opposition publications risk imprisonment. Arrest on specious grounds, such as planted narcotics or forbidden literature, is a constant danger for human rights activists and religious believers.

- Since 1997, authorities have been arresting religious Muslims, who want to practice their faith outside state structures. The campaign intensified exponentially after February 16, 1999, when a series of bombs exploded in Tashkent. Karimov accused an exiled opposition leader of plotting with international Islamic radicals to assassinate him, and hundreds, if not thousands, of people are believed to have been arrested.

- With respect to freedom of conscience, it appears that Uzbekistan's authorities desire no trouble with the West, especially the United States, over the religious freedoms of Jews or Christians. Appeals and protests by Western agencies, especially the U.S. Congress, have usually resolved problems that arise and there are currently no known non-Muslim religious activists in prison. But apparently convinced that Islamic fundamentalism threatens his regime, Karimov's indulgence draws the line at Muslims. Nor is he willing to heed Western appeals on their behalf.

- Uzbek authorities refuse to register independent human rights organizations under the pretext that their documentation does not correspond to requirements. At the same time, security organs have stepped up their campaign against the Independent Human Rights Organization, beating its chairman and arresting several of its members on trumped-up charges.

- In December 1999, Uzbekistan held a parliamentary election, followed by a presidential election in January 2000. Despite official Uzbek claims of progress towards electoral democracy, a group from the Office of Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) concluded the parliamentary election fell far short of OSCE standards and refused to observe the presidential election.

- In his January 22 inaugural address, after being reelected with a reported 92 percent of the vote, President Karimov said Uzbekistan had to liberalize its political system, including the participation of opposition parties, and allow freedom of expression. He has made such statements before. Pending evidence of a genuine desire to accelerate democratization—evidenced, at the very least, by the release, or amnesty, of imprisoned human right activists and the registration of human rights organizations—Karimov's latest pledge to democratize rings hollow.

UZBEKISTAN

Background

President Islam Karimov has been in power in Central Asia's most populous country since 1989. In the late 1980s, *Birlik* (Unity) and *Erk* (Freedom), Uzbekistan's nationalist-democratic opposition movements, though under constant pressure, were able to function, as Karimov backed their demands for a national renaissance and a redefinition of relations with Moscow. By mid-1992, however, as the situation in neighboring Tajikistan deteriorated into civil war, Karimov dropped all pretense of toleration. Through violence, arrests and intimidation, he forced the opposition into exile or underground.

Karimov maintains a rhetorical commitment to democratization and the long-term goal of building a law-governed state. He has created several state institutions which ostensibly aim to promote public awareness of human rights and to improve the state's observance of OSCE commitments. Nevertheless, he argues that Uzbekistan must not simply copy Western models and rush towards democracy. He allows no opposition political parties or any independent voices in the strictly controlled state media. Nor are basic human rights observed: arbitrary arrests, abuse and torture of detainees are pervasive, and flagrantly politicized judicial proceedings are routine.

Apart from banning all secular opposition, Karimov has cracked down hard on Islam. Uzbekistan boasts Central Asia's deepest Islamic traditions and is generally seen as the region's most receptive breeding ground of fundamentalism. Indeed, radical Islamic groups do exist in Uzbekistan. Among the best known is *Hizb-ut-Tahrir* (Party of Liberation), which excoriates Karimov's secularism, pro-Western stance and friendship with Israel. The group openly advocates creating a Caliphate, though it claims to use only peaceful means.

When policemen were killed in Namangan, in the Fergana Valley, in December 1997, the authorities blamed Islamic radicals. Since then, Tashkent has intensified its assault on Islamic preachers outside the government-controlled board in charge of Islam, the Spiritual Directorate (Muftiat).[1] Declaring an all-out war on "Wahhabism," a branch of Islam associated with Saudi Arabia, which has also become a catch-all pejorative, the authorities have persecuted independent Muslim leaders and believers associated with unofficial Muslim groups, or anyone seen as such. In a series of show trials, defendants discredited as dangerous religious extremists have been convicted of criminal offenses based on forced confessions and planted evidence.

On February 16, 1999, bombs exploded in Tashkent, killing 22 people. The government accused exiled opposition leader Mohammad Solih of plotting with radical Muslims from Uzbekistan, Tajikistan and Afghanistan to assassinate President Karimov. Since then, hundreds, if not thousands, have been arrested. Two trials of the accused conspirators have taken place, with several defendants sentenced to death, others to long prison terms. Prosecutors presented little or no evidence; the defendants later claimed they were tortured into confessing. Uzbekistan's opposition parties maintain Karimov set the bombs himself, to launch a wider crackdown as popular discontent grows. Although the ongoing wave of arrests has presumably decimated Islamic organizations, Uzbekistan today is a police state at war with groups of its own citizens.

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[1] See the Commission's Hearing on Democratization and Human Rights in Uzbekistan, October 18, 1999, forthcoming.

Last summer, in a standoff that lasted several months, Muslim fighters, mostly of Uzbek origin, seized mountain villages and took hostages in neighboring Kyrgyzstan. In November, 23 people were killed in clashes between Islamic rebels and Uzbek troops in Yangiabad, not far from Tashkent. These incidents have hardened Karimov's conviction that an Islamic menace is spreading and requires a harsh, coordinated international response.[2]

Against this background, Russian Orthodoxy and Judaism enjoy considerable latitude in Uzbekistan. But the Islamic establishment and the Russian Orthodox Church view other groups, especially evangelical Christian faiths, as "non-traditional religions" which represent an arrogant, unwelcome intrusion by foreigners. Consequently, Uzbeks who have converted face particular official sanction ranging from harassment and loss of jobs to imprisonment and torture, depending on their level of activity. Uzbek law criminalizes free speech intended to persuade the listener to another religious point of view. Officials have at times refused to register churches and imprisoned pastors and other religious workers, particularly targeting Uzbeks who have converted.

Human Rights Activists

Commission staff first met with the leaders of two independent human rights organizations: Talib Yaqubov, of the Human Rights Society of Uzbekistan, and Mikhail Ardzinov, Chairman of the Independent Human Rights Organization. Both Yaqubov and Ardzinov have been the victims of physical attacks, presumably for their human rights activity—Yaqubov was assaulted during the 1998 OSCE Implementation Review Meeting in Warsaw; Ardzinov was arrested in Tashkent on June 25, 1999, and taken to police headquarters, where he was savagely beaten.[3]

Both groups are unregistered. The Human Rights Society last tried to register in April 1997. At that time, the authorities responded that the application papers contained errors, false information or otherwise did not meet the requirements, and advised the Society to hold another congress and reapply. The Independent Human Rights Organization was founded after Ardzinov, who had been the deputy chairman of the Human Rights Society, fell out with its leadership. His application for registration was also rejected because of alleged contradictory information in the documentation or because of other technical shortcomings.[4] By contrast, groups which cooperate closely with the government (such as the Society for the Protection of the Rights of the Individual) have been registered without delay.

Since early 1999, the authorities have singled out Ardzinov's group for particularly harsh treatment. Apart from the vicious attack on Ardzinov, two members of the organization's board have been arrested on charges widely believed to be fabricated: *Birlik* member Makhbudo Kasymova (a mother of

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[2]"Even some of our neighbors [i.e., Kyrgzy President Askar Akaev] used to claim that there was no threat of religious extremism here but the penetration of gunmen into southern Kyrgyzstan...demonstrated that such an attitude will do no good....Efforts should be pooled to neutralize...extremism and international terrorism...and [the] big powers should help us in this." Interfax, December 1, 1999.

[3]Commission staff had to meet with Yaqubov and Ardzinov separately because of longstanding disagreements within the Uzbek human rights movement. Neither repression nor the logic of common interests has managed to overcome this antagonism, which lessens their effectiveness, as well as letting the authorities play off one group against another.

[4]In June 1998, for example, the Deputy Minister of Justice described what he called "the rudest" violation of the law: two participants in the Organization's second constituent congress said it took place in two different places.

six children), was convicted of concealing a crime and sentenced to five years in jail. Ismail Adylov was accused of harboring brochures of *Hizb-ut-Tahrir*, which he maintains the police planted. Prosecutors also charged him with trying to blow up a Tashkent jail, and he was sentenced to six years. Yet another member of the group, Abdula Abdurazakov, was not at home when the police came looking for him and is still on the run. Akhmadkhon Turakhanov, a member of Ardzinov's organization, died in prison in June. Ardzinov's appeal to the authorities to punish the policemen who beat him has been ignored, and none of his confiscated property, which included an archive on human rights issues dating back ten years, has been returned. Members of the Human Rights Society have also been harassed, detained or otherwise persecuted and some are, or have been, in prison.[5]

Yaqubov and Ardzinov both provided information about an alarming development that had been reported in September: the apparent construction of a prison—which they call a "concentration camp"—for people convicted of "religious" crimes in Jaslyk (in Karakalpakistan). The facility is located in a region of climatic extremes, which, moreover, is contaminated by chemical weapons tests conducted during the Soviet period. Jaslyk prison is hard to reach, and official permission to visit is very difficult to obtain. Yaqubov related that one family which managed to do so found imprisoned relatives so thin and beaten as to be almost unrecognizable. Reflecting the authorities' campaign against Muslim believers, prisoners may not pray in jail or have beards.

Human rights groups have long claimed that people jailed in Uzbekistan are severely mistreated. In November 1999, after a three-year delay, Tashkent issued a report to the U.N.'s Committee on Torture, acknowledging that torture goes on in prisons. Nevertheless, the report stressed the difficulty of getting prison officials to stop using long-established methods and asked for patience and understanding as Uzbekistan tries to address the problem. In a document presented to OSCE on November 1, 1999, the Human Rights Society contended that 38 prisoners had died of torture in the last year at Jaslyk.

It is virtually impossible to obtain accurate figures on the number of people arrested since February 16 or currently in jail, as the authorities refuse to make such information available. Ardzinov, for instance, estimates at least 5000 people have been jailed on "religious" grounds. Uzbek officials announced on September 22 that hundreds of people, mostly members of *Hizb-ut-Tahrir*, have been released in recent months. According to Human Rights Watch/Helsinki, which has an office in Tashkent, the information has not been confirmed and in any case, arrests of members or alleged members of *Hizb-ut-Tahrir* continue.

As for freedom of the media, Soviet-style censorship continues in full force. In fact, Ardzinov reported that matters had actually deteriorated. Whereas previously, newspapers had printed articles about corrupt officials, now even such stories are apparently taboo.

Religious Activists

Commission staff met with individuals representing a spectrum of religious groups who reported official repression ranging from denial of registration, harassment by security forces, expulsion from educational institutions, and bureaucratic obstructionism to planting of narcotics, forced confessions,

[5]They include Meli Kobilov and Muidin Kurbanov, among others.

imprisonment and torture. Governmental authorities view both unofficial Muslim groups and other religious groups considered "non-traditional"as inherently destabilizing and a threat to the state. The general view among those interviewed was that official suppression of religious groups appears to be encouraged by the religious establishment, namely the official Muslim Muftiate and the Russian Orthodox Church, which wish to maintain their privileged and influential status. Non-traditional religious groups that attract Uzbeks are particularly vulnerable to official sanction, and some groups voluntarily choose to dissuade Uzbeks from joining. Even registered groups face extortion and other forms of harassment from security forces. The importation or production of religious literature is carefully regulated by the Committee on Religious Affairs. Several groups reported having met recently with the Committee, and at least one group felt optimistic about being registered in the future.

Parliamentary Election

Only pro-Karimov candidates and parties could participate in the December 1994 parliamentary election. At its first session, the rubber-stamp legislature voted to hold a referendum in March 1995 on extending Karimov's tenure as president until the year 2000. In December 1998, a new party, *Fidokorlar* ["Altruistic People"] was founded, in response to Karimov's call for a political movement to bring honest people to office. *Fidokorlar*'s creation brought to five the number of registered parties to contest the December 5, 1999 parliamentary elections: the People's Democratic Party (the former Communist Party of Uzbekistan), *Adolat* (Justice), *Mili Tiklanish (*the National Revival Party), For the Progress of the Motherland Party, and *Fidokorlar.* According to Uzbekistan's Central Election Commission, over 93 percent of the electorate cast ballots for 250 seats contested in single-mandate constituencies.

After examining the pre-election environment, the OSCE's Office of Democratic Institutions and Human Rights (ODIHR) concluded, *inter alia*, that "fundamental freedoms are severely restricted" and no views opposed to the government can be freely presented. ODIHR declined to observe but dispatched a small group of experts to report on the process.[6] The group's subsequent assessment of the election was harsh: citing pervasive interference in the process by local authorities, the absence of diverse viewpoints in the media, the lack of transparency and independence of election commissions, as well as the absence of opposition parties, ODIHR concluded that the election had fallen far short of OSCE standards.

Official Uzbek Perspective

Naturally, Uzbek officials put an entirely different slant on all these issues and claim to see progress towards democratization. Isam Mustafaev, who heads the Foreign Ministry's human rights working group of the U.S.-Uzbekistan Joint Commission, maintained that Tashkent was working cooperatively with the OSCE, with which it had signed two Memorandums of Understanding, and had developed good working relations with the OSCE office in Uzbekistan.[7]

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[6]The practice of sending reporting, as opposed to observation, missions began in January 1999, when ODIHR determined there was no chance of holding a reasonable presidential election in Kazakstan. The decision, widely hailed by human rights groups at the time, has had unfortunate consequences by lowering the barrier to some form of OSCE presence at elections that obviously will not meet OSCE standards. In Uzbekistan, naturally, state media inaccurately described the reporting group as a full-fledged OSCE observation mission. For that reason, the U.S. Ambassador in Tashkent had argued against any OSCE involvement.

[7]In fact, a member of the OSCE Office subsequently reported that its letters to Uzbek officials and requests for information often go ignored.

Mustafaev contended that Uzbekistan has no problems with freedom of religion, and certainly not Islam, the religion of 87 percent of the population. As evidence, he cited the figure of 1,600 working mosques in the republic and the pilgrimage to Mecca by over 20,000 Uzbeks since the country gained independence (as opposed to 86 during the Soviet era). However, he warned, the government was obliged to protect the country from radical Muslims preaching a dangerous form of Islam, who, in alliance with international terrorist elements, are conspiring against Uzbekistan's constitutional order.

As for opposition parties, Mustafaev said the law prohibits the registration of parties whose leaders are abroad—which applies both to *Birlik* and *Erk*. Considering the mentality of the Uzbek people, he continued, the creation of five political parties to contest the parliamentary election should be deemed a great achievement. Mustafaev maintained that human rights NGOs must comply with the law's provisions to be registered and can appeal to the courts if they are unsatisfied with the response by the Ministry of Justice. Appeals to international agencies should be their last resort. Mustafaev offered to meet with Ardzinov to discuss the matter further.

Mustafaev professed to know nothing about the Jaslyk prison and suggested raising the issue with officials in other ministries. He acknowledged instances of torture, but said it was impossible to change the habits of some 40,000 policemen quickly.

Representatives of the Ministry of Internal Affairs did know about Jaslyk, and said international human rights groups, such as Human Rights Watch/Helsinki could visit if the trip was coordinated with the Ministry.[8] Torture, they agreed, was forbidden by Uzbek law and anyone with a grievance against police methods should file an appeal with the courts—but complainants must prove torture was used. They added that American policemen had observed their work and given it high grades. Asked how many policemen had been accused or convicted of torturing prisoners, the officials could not provide figures.

Not surprisingly, the Ministry spokesmen denied evidence was ever planted. As for Ardzinov's beating, they said he had actually been involved in an altercation with a policewoman investigating claims against Ardzinov lodged by the husband of Vassilia Innoyatova, a leading member of the Human Rights Society.[9]

The approach of Akmal Saidov, Chairman of the Human Rights Institute, was tailored more to Western tastes. He pointed out that at least five candidates had contested each parliamentary seat. While acknowledging shortcomings, Saidov argued that progress was undeniable and expressed the hope that the electoral process would become more transparent and independent. He criticized OSCE for refusing to send a full observation mission to the election.

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[8]The Human Rights Watch/Helsinki representative in Tashkent tried to visit Jaslyk in July 1999, without informing authorities; the police in Jaslyk cut her trip short.

[9]Though most of what Ministry representatives said was not credible, Ardzinov and Innoyatova have long had bad relations, which the authorities rarely fail to exploit.

Saidov said he had no solid information about the prison camp at Jaslyk but was planning a trip with Sayora Rashidova, the Human Rights Ombudsman. He urged the unregistered human rights groups to make sure their documentation corresponded with the law and resubmit their applications. If they did, he promised to assist them get registered, but he maintained that they actually prefer not to be registered.

Minister of Justice Sirojiddin Mirsafaev, noting that 2,231 social organizations had been registered, repeated this contention. He argued that both human rights NGOs, having repeatedly submitted flawed documents, preferred to "speculate" on their unregistered status: if they were registered, he continued, "they would have to abide by our laws." Much the same applied to *Erk* and *Birlik*, which had never applied for re-registration in 1993, when the Ministry required all political movements to do so.

Mirsafaev said 51 religious organizations had been registered after appealing to President Karimov, even though they did not meet the requirement of 100 members. Mirsafaev saw nothing wrong with the current law and maintained that it met international standards on religious liberty, including Uzbekistan's OSCE commitments.

The Committee on Religious Affairs, within the Ministry of Justice, oversees the activities of all religious groups. The Committee Chairman, Shoazin Minovarov, had already had a number of meetings with local religious groups to discuss registration and the importation of religious literature. Minovarov cited the recent registration of religious groups after meeting with U.S. Ambassador-at-Large for Freedom of Religion Robert Seiple and appeared favorably disposed to continuing discussions with U.S. officials.

Sayora Rashidova, Uzbekistan's Human Rights Ombudsman, said her office was completing reports on the rights of women and prisoners. Most interesting, she added that a roundtable on the religion law would take place at the end of January, which might recommend amending the law requiring religious communities to have 100 members in order to be registered. As for torture, Rashidova said her office was cooperating more closely and candidly with the Ministry of Internal Affairs on the need for reforms, and promised to address the problem with all seriousness.

Latest Developments

On January 9, 2000, Uzbekistan held a presidential election. President Karimov's bid for reelection was nominally contested by Abdulhafez Jalalov, First Secretary of the Central Council of the People's Democratic Party (which Karimov headed until he left the party in 1996). According to Uzbekistan's Central Election Commission, 95 percent of eligible voters turned out; 92 percent cast their ballots for Karimov. Among them was Jalalov himself, who told reporters he had done so in the interests of "stability, peace, our nation's independence, [and] the development of Uzbekistan."[10] Jalalov wound up with four percent.

[10]The spectacle of a candidate openly voting for his rival may be Uzbekistan's contribution to post-Soviet elections, if not to political science. Asked why he had run, Jalalov said: "So that democracy would win."

Uzbekistan's Central Election Commission reported that no irregularities took place during the campaign or on election day. The OSCE/ODIHR, having seen the December parliamentary election, refused to observe the January presidential election, and issued a statement saying that "democratic competition was absent" from the presidential election.[11]

In his January 22 inaugural address, Karimov pledged to "ensure the democratic way of development in the country, where all rights and freedoms, welfare and decent living standards are guaranteed for each individual, irrespective of their nationality, faith and convictions." He stressed, however, that Uzbekistan would "avoid a blind copying of the developed nations' experience and models." Nevertheless, he implied that some liberalization may be in the wings, saying that "we must clearly understand the power of a government is not in excessive concentration of authority within a state system used as a mechanism of suppression and coercion." Karimov even hinted that the leadership may agree to a dialogue with the opposition, which, he specified, has a role to play in a multi-party system.

On January 26, a group of exiled opposition activists led by Mohammad Solih adopted a statement welcoming Karimov's gesture—assuming it was sincere—and set out conditions for considering going home. They called for a Special Contract between the government and the opposition about their possible return, which would require the meditation of third parties, such as representatives of the OSCE or a "U.S. Congressional Human Rights Committee."[12] The signers also demanded the release of all prisoners of conscience and their relatives, and the annulment of the January 1993 decree of Uzbekistan's Supreme Council prohibiting the activity of *Birlik* and *Erk*.

Finally, despite assurances by Sayora Rashidova that a roundtable in late January would discuss the religion law and consider lowering the requirement that communities need 100 members to register, no such event took place. It is unclear whether it has merely been postponed or canceled entirely.

Conclusions

Despite standard rhetoric by President Karimov and other Uzbek officials about commitment to human rights and gradual democratization, there has been no liberalization of society nor any evidence of serious intentions in that direction. No political opposition is permitted, nor is there reason to expect any in the foreseeable future. Censorship remains as strict as ever; those who dare to distribute opposition publications risk imprisonment. Arrest on specious grounds—such as planted narcotics or forbidden literature—is a constant danger for human rights activists and religious believers, especially Muslims. Nor can they appeal to the judicial system for redress of grievances or expect an impartial hearing in courts entirely controlled by the executive branch. At best, they might hope to buy some leniency from a corrupt judge, though even that is unlikely in sensitive political cases.

As for the parliamentary election, contentions by officials that progress is clear and undeniable, even if OSCE standards admittedly remain elusive, are implausible. All five participating parties were government-sponsored, with no opposition groups permitted to participate or any opposition views

[11] A State Department spokesman concurred, describing (on January 12) the Uzbek presidential election as "neither free nor fair."

[12] It is unclear which committee in Congress was meant.

granted access to voters. Nor is the creation of a bloc of 16 supposedly non-party deputies (headed by Akmal Saidov) proof that parliament is gaining independence of the executive branch. The election was a parody of a multi-party contest, which officials portrayed as evidence that Uzbekistan is proceeding along democratic lines. In fact, the electoral situation—like that of media—is worse than a decade ago: in December 1991, President Karimov allowed a serious contender, *Erk* leader Mohammad Solih, to run against him (though *Birlik* leader Abdurahim Polat was barred on flimsy pretexts). Considering the absence of conditions allowing a free and fair contest for the parliamentary election, it is puzzling that ODIHR agreed even to send a reporting mission. ODIHR rightly refused to do even that for the presidential election. It could well be, as many analysts believe, that Karimov really would win any election in Uzbekistan handily. Nevertheless, his managing of the election process indicates his unwillingness to allow any real challenge, indeed, to take any risks at all when placing his candidacy before the voters. Karimov's 92 percent tally demonstrates not his strength but his insecurity in office.

Matters are no better with respect to NGOs. President Karimov refuses to honor his 1996 promise to Ambassador Audrey Glover, then Director of ODIHR, to register the Human Rights Society of Uzbekistan.[13] Unregistered organizations are vulnerable to closure at any time. Moreover, they are legally unable to open a bank account and cannot demand a response from the authorities to their requests for information or petitions.

There is no plausible reason for not registering these human rights groups. The official argument that tight controls are required because of political conditions in the country and the region, specifically the threat posed by Islamic fundamentalists, is entirely unconvincing. Before the 1997 events in Namangan, before the alleged emergence of the Islamic danger, the authorities could have registered an independent organization but did not do so. Equally implausible is the official position that the groups need only reapply. As the movements' spokesmen contend, if the authorities were willing to register them, any alleged shortcomings in the application would swiftly be overlooked.

Nevertheless, President Karimov appears unwilling to close them down, most likely because of ramifications with Western capitals and human rights organizations. On the other hand, the spate of arrests of individual activists, especially those associated with Mikhail Ardzinov's Independent Human Rights Organization, is intended to weaken the group and intimidate those still not in jail. Continuous persecution of human rights activists has almost paralyzed both human rights organizations. Appeals for their release from Uzbek and Western human rights organizations have thus far been ignored.

Prospects for a dialogue between the authorities and opposition parties are also not encouraging. Given that President Karimov accused Mohamad Solih of masterminding the February 16 explosions in Tashkent, and that people have already been convicted and executed for their alleged participation in the plot,[14] it is doubtful that Karimov would be willing to consider Solih an acceptable interlocutor, much

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[13]No promises were ever made about the Independent Human Rights Organization; indeed, officialdom's antipathy towards Mikhail Ardzinov—whose non-Uzbek origin they do not shrink from bringing up—makes the registration of any organization connected with him even less likely. A further impediment is Ardzinov's relationship with Mohammad Solih, whom Karimov has singled out as Enemy #1.

[14]Shortly before the election, the government announced six convicted perpetrators of the bombings had been executed and 16 accomplices sentenced to long jail terms.

less let him return home. Exiled *Birlik* leader Abdurahim Polat, who has never been accused of complicity in the bombings, even though he has publicly charged that the authorities themselves staged them, might be more acceptable to Tashkent. In any case, Karimov's suggestion of a possible dialogue with the opposition, if serious, would be major step forward. But he has made such gestures before, with no significant results.

With respect to religious believers, a consistent pattern of actions by Uzbekistan's authorities indicates that they desire no trouble with the West, especially the United States, over the religious rights of Jews or Christians. The former are not a serious problem for Tashkent: relatively few Jews remain in Uzbekistan and Karimov, who has pursued good relations with Israel, would like to use those who have emigrated to the United States and Israel to influence Western public opinion in favor of his policies. However, evangelical Christians who try to convert others, or Uzbeks who convert to Christianity, are viewed as destabilizing. Apart from the hostility of Islamic and Russian Orthodox religious establishments—often backed by Jewish leaders—authorities fear the local Muslim population could react violently to missionaries and converts. Nevertheless, while Uzbek officialdom has not accepted the notion that propagating one's faith falls under the heading of freedom of speech—which is routinely violated in any case—and while local authorities still harass and sometimes jail Christians, appeals by Western agencies, especially the U.S. Congress, have often resolved the problem. Uzbek officials have promised to address such matters expeditiously.

Tashkent's official indulgence draws the line at Muslims, however. Apparently convinced that Islamic fundamentalism poses a serious threat to the regime, President Karimov is not prepared to show any quarter to Uzbek Muslims who want to pray or otherwise practice their faith outside official structures. Nor is he willing to heed Western appeals on their behalf.

Karimov and Uzbek officialdom appear deaf to arguments that persecution of unofficial Islam is radicalizing an element of society which was not previously active politically. People whose relatives are tried on trumped-up charges, imprisoned and tortured, will not soon forget these injustices, and Karimov's shortsighted policies may well prove a dangerous time-bomb for his regime.

Meanwhile, it appears the threat from Islamic radicals, which may well exist but which has surely been exacerbated by repressive government policies, will serve Tashkent as an argument for the foreseeable future to put off any serious liberalization. At the same time, the issue of politicized Islam has drawn Tashkent closer to Moscow, from which it has been distancing itself for years. In February 1999, Uzbekistan withdrew from the Commonwealth of Independent States (CIS) Collective Security Pact but in December, Uzbekistan signed a new security accord with Russia, and Karimov has strongly supported Moscow's war against Chechnya. At the January 2000 CIS Summit, Karimov said Tashkent would turn to Moscow for help against future outbreaks of violence from Muslim extremists in Central Asia.[15]

[15] *Agence France Presse*, January 24, 2000.

TURKMENISTAN

EXECUTIVE SUMMARY

- In President Saparmurat Niyazov's Turkmenistan, the most repressive country in the OSCE region, the situation is even worse than in Uzbekistan. Niyazov and Turkmen officials argue that Turkmenistan is an Asian country with its own culture and traditions which make a quick adoption of Western norms impossible. In this view, the primacy of continued stability overrides all other considerations, and until the country proceeds through its difficult transition period, rights and freedoms must be restricted.

- The practical consequences of this conviction are stark. Of all former Soviet bloc countries, only Turkmenistan remains a one-party state. No opposition groups were ever registered and none is allowed to function today. Anyone who tries to engage in unauthorized political activity risks imprisonment. Soviet-style censorship permits no criticism of Niyazov's regime. More than any leader of a newly independent state, he also appears indifferent to international public opinion of his excesses, including a Stalin-style cult of personality.

- Like all other basic rights, freedom of religion is severely restricted. Only Islam and Russian Orthodoxy are registered in Turkmenistan. Turkmen law requires religious communities to have 500 members in order to be registered. Security forces routinely visit unregistered religious groups, whose members face harassment, imprisonment, torture, prosecution and the loss of employment if they continue their activities. When religious groups attempt to register, persecution intensifies. Pastors and other individuals who are particularly active are targeted, often facing trial on fabricated drug charges based on planted evidence. Moreover, a Hari Krishna temple and the Seventh Day Adventist Church in Ashgabat were destroyed in 1999, making Turkmenistan the only country in the former Soviet Union where the government has destroyed places of worship.

- On December 5, Turkmenistan held parliamentary elections, which authorities portrayed as a great advance towards democracy because the seats were contested. The OSCE refused to send any representatives to report on or observe the election.

- Niyazov's cult of personality has taken increasingly extreme forms. On December 28, delegates to the *Halq Maslakhaty* (People's Council), ostensibly the most authoritative representative body in the country but actually a rubber stamp for Niyazov, gave him the right to remain in office permanently. His virtual coronation as "president for life" flagrantly flouts OSCE commitments, which call for regular and competitive elections.

- Niyazov has never demonstrated the slightest inclination to loosen his absolute control of Turkmen society or to regard seriously the commitments he undertook when Turkmenistan joined the OSCE in 1992. There is no reason to expect any liberalization in Turkmenistan while he is in power.

TURKMENISTAN

Background

Saparmurat Niyazov has ruled gas-rich Turkmenistan since 1985, which makes him the longest serving leader in the CIS. In the late 1980s, when Mikhail Gorbachev's policies of glasnost and perestroika were compulsory for the leaders of the union republics, Niyazov authorized some slight liberalization, but the public's lack of political engagement and the authorities' tight controls combined to keep a powerful nationalist-democratic movement from emerging. As the USSR fell apart, the few remaining constraints on Niyazov—who became president in 1990 (with 98 percent of the vote, in an unopposed race) and then extended his term via referenda – vanished. Since then, he has presided over the establishment of a near-totalitarian political system and a regime considered one of the most repressive in the world.

More than any other CIS leader, Niyazov seems indifferent to international public opinion. Apparently convinced that Western desire for Turkmenistan's natural gas and oil—which Washington also does not want transported through Iran—protects him from any serious consequences, Niyazov simply ignores the numerous condemnations of his suppression of any viewpoint other than his own. He contends that his program of long-term democratization accords with Turkmen national traditions and is primarily intended to maintain Turkmenistan's stability during a difficult transition period which will last until 2010. His people, he argues, are not ready for Western-style democracy, which may not be implanted artificially. Until it develops naturally, freedom of the media, assembly or association must be restricted.

Of all former Soviet bloc countries, only Turkmenistan remains a one-party state. The Democratic Party (the renamed Communist Party), headed by Niyazov, is the sole registered party. All media are tightly censored; the only critical notes feature Niyazov lambasting his ministers or other officials for failing to carry out his directives or meet their targets. No independent NGOs exist. Meanwhile, Niyazov has fashioned a full-fledged, Stalinist-style cult of personality. He renamed himself Turkmenbashy (leader of the Turkmen), in an apparent aping of Turkey's Ataturk, and his portraits are ubiquitous, along with the slogan "Khalq, Vatan, Turkmenbashy" (People, Nation, Turkmenbashy). Cities, towns and enterprises have been renamed after him and his image adorns the currency.[16]

It goes without saying that under Niyazov's rule, no opposition is tolerated. Virtually all opposition activists have emigrated, have ceased activity, or are in jail. Others are dead: in September 1999, Khoshali Garaev died under extremely suspicious circumstances in prison. Though a Russian citizen, Turkmen authorities had arrested him in Uzbekistan in 1994 and brought him to Ashgabat, where they subsequently sentenced him and Mukhammetkuli Aimuradov to 12 and 15 years, respectively, in a maximum security labor camp for allegedly plotting to overthrow the government and kill Niyazov.[17]

On June 29, 1999, authorities arrested Dr. Pirikuli Tangrykuliev, a prominent medical scientist and public health administrator, *while he was lunching with a U.S. Embassy official*. After his arrest, news-

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[16]Still, on July 16, 1999, Niyazov, having already received three gold stars awarded to Heroes of Turkmenistan, modestly refused to accept a fourth.

[17]In November 1998, the government had brought new charges against both men, adding 18 years to their sentences.

papers accused him of financial malfeasance and he was convicted of abusing his office. In August, Tangrykuliev, who had told foreign diplomats that he wanted to run in the upcoming parliamentary election to effect political change in Turkmenistan, was sentenced to eight years in jail.

Niyazov's Turkmenistan has also resorted to Soviet-era psychiatric abuse. Durdymurad Khojamuhammedov, co-chair of the banned Party of Democratic Development of Turkmenistan, was detained in February 1996 (a few months after meeting Helsinki Commission staff in Ashgabat), and confined to a mental hospital. After his April 1998 release, Khojamuhammedov continued meeting with foreign diplomats. On August 4, 1998, he was abducted, taken outside Ashgabat and brutally beaten.

On matters of democratization and human rights, Niyazov appears immune to outside pressure except under extraordinary circumstances. During his visit to Washington in April 1998, exiled opposition leader and former Foreign Minister Avdy Kuliev, whom Niyazov accuses of extortion, trying to organize a coup, and organizing a protest rally in July 1995, returned to Ashgabat. Turkmen authorities detained him upon his arrival, but considering that Niyazov was about to meet President Clinton, Kuliev was released and sent back to Moscow.

For well over a decade, Niyazov's regime has been consistently repressive. His omnipresent security organs permit no opposition activity and deliberately convey the message that any such attempts will be harshly repressed. As a result, the number of people considered political prisoners in Turkmenistan is actually rather small, compared to Uzbekistan, because even those people inclined to engage in political activity are afraid to risk challenging the established order. In April 1998, before his trip to Washington, Niyazov released eight people sentenced to prison for participating in the July 1995 protest march. Today, with Garaev dead, apart from Aimuradov and Tangrykuliev, Shidildy Atakov and Parkhat Yklymov are known prisoners of conscience—plus Nurberdy Nurmamedov and his son (see below).

Though perennially cautious, people in Turkmenistan are willing to speak to foreigners and one can find interlocutors to share interesting insights (though they will likely be interrogated by security officials about the conversation). Nevertheless, the atmosphere is more oppressive than anywhere else in the former USSR.

Religion

Only Islam and Russian Orthodoxy are registered in Turkmenistan. Commission staff managed to meet with pastors and other religious workers who, at great risk, reported that security forces routinely interrogate and intimidate believers, especially those attempting to collect the 500 signatures required for registration. Security officials visited the workplaces of those who sign and warn their employers to "take care of them because they are a member of a sect." Students are also threatened with expulsion from university if they continue their religious activities. On the night of December 16-17—*while the Helsinki Commission staff delegation was in Ashgabat*—police arrested two Baptist pastors in orchestrated raids on Baptist churches in Chardjou, Mary, Turkmenbashy, and Ashgabat.

At the OSCE Office in Ashgabat, Commission staff heard a detailed report about the demolition of the Seventh-Day Adventist (SDA) Church, and saw a video of the authorities' efforts to raze the sturdy edifice. During the Saturday evening service on November 13, 1999, about 30 workers, who did not identify themselves or produce official authorization, arrived to demolish the building. The police blocked all the roads, gardens and back ways out of the area. Ten people were actually in the church as the

destruction began. The American and British Ambassadors attempted to visit the site but were prevented from approaching by police.

Justifying their actions, the authorities first said that a new road had to be built through the area where the church stood; later, they claimed the building was in terrible condition and had been condemned. Both explanations are patently false: a major road a few streets away serves as a primary thoroughfare. As for the church's allegedly deplorable physical state, the wrecking crew needed two weeks to knock down the walls and additional heavy equipment to complete the destruction. Moreover, the authorities clearly have no immediate plans to construct a road—no other buildings have been destroyed save the church and a home behind it, although the church, a school, and 17 nearby houses also have received notice of the city's demolition plans.

Parliamentary Election

Turkmenistan's December 1994 parliamentary election was remarkable for its predictability: 50 candidates were nominated for 50 seats, so the results were known in advance. Turkmen officials therefore tried to make much of the fact that in the December 1999 election, seats were contested.

Ashgabat did not invite international observers but said they would be welcome if they came. OSCE/ODIHR declined to do so. Its needs assessment mission recognized that Turkmenistan would not "achieve immediate and comprehensive compliance with OSCE commitments under the Copenhagen Document." Rather, the mission sought to "identify a positive trend, to establish whether some appreciable steps, however modest, had been taken towards meeting those commitments....[But] no such trend is readily identifiable. Moreover, given the complete lack of response to the ODIHR recommendations it is difficult to identify any desire on the part of the Turkmen authorities to maintain a dialogue on electoral reform." Noting, among many other things, "There are no opposition parties and no registered opposition non-governmental organisations openly active in public life," the mission concluded that the pre-election process "does not meet minimal OSCE commitments for democratic elections....the legal framework is flawed and the rules and regulations produced by the CEC [Central Election Commission] do not address the shortcomings of the law. In addition, the preparations for these elections indicate that there will be no plurality of candidatures and the bodies...administering the election process are neither effective nor independent institutions."

Official Turkmen Viewpoint

Vladimir Kadyrov, Director of the National Institute for Democracy and Human Rights, repeated Niyazov's argument that the country is proceeding towards democracy at its own tempo, in accordance with Turkmen traditions. He portrayed the parliamentary election as a major step forward, citing the innovations in the law which allowed people to nominate themselves or be nominated by others, as opposed to nomination by the Democratic Party. In all 50 districts, several candidates competed. Kadyrov also pointed to Turkmenistan's moratorium on the death penalty and several large-scale amnesties carried out in the last year. He said the slow pace of change has allowed Turkmenistan to avoid internal clashes and conflicts and the country is on the brink of major reforms, including democratization and human rights.

Kadyrov acknowledged that his institute has received numerous appeals and protests from international organizations, complaining about Turkmenistan's law on religion, which requires 500 members to register a religious community. He claimed the high quota was needed to keep Islamic fundamental-

ism at bay and because the number of small religious communities had grown so large the Ministry of Justice could not keep track of them. Kadyrov said he had prepared a report for Niyazov that proposed lowering the number substantially for religions other than Islam and Russian Orthodox Christianity.

Leaders of the Council on Religious Affairs noted that the Council is a consultative body and could not register religious communities. They stressed, however, that groups seeking registration should first visit the Committee to acquaint themselves with Turkmenistan's laws. In general, the Council's spokesmen differentiated among various unregistered religions, speaking relatively favorably of the Baha'i, and negatively of Jehovah's Witnesses, which had "caused trouble in numerous countries." As for registration, they maintained, the law must be obeyed until its amendment, which might take place at the session of the *Halq Maslakhaty* (People's Council) scheduled for late December.

Deputy Foreign Minister Yolbarf Kepbanov emphasized that Turkmen society was very different from that of Western Europe or the United States, and could not yet implement OSCE commitments fully. He repeated the standard argument that Turkmenistan was developing according to its own traditions and at its own tempo. Kepbanov said OSCE and Western countries are pressing for a pace of change Ashgabat does not want to meet. Free media and an artificially created multi-party system would be harmful for state security, he maintained.

For that reason, Turkmenistan's negotiations with ODIHR to sign a Memorandum of Understanding on democratization projects have not yet been successful. Ashgabat insists the MoU contain language recognizing Turkmenistan's traditions and that ODIHR not supervise unilaterally the implementation of the projects. ODIHR has refused to accept these conditions.

This attitude has translated into difficulties with the OSCE Center in Ashgabat (which opened in January 1999). OSCE mission members reported that Turkmen officials demand a role in writing the Center's reports to the OSCE in Vienna, and insist that the Center's contacts with the local population go through the Ministry of Internal Affairs. Niyazov has complained to the OSCE's highest leadership and to the U.S. Government that the Center's human rights staffer is a "spy trying to organize anti-government rallies and finance the opposition." The Norwegian Foreign Minister, who was OSCE Chairman in Office during 1999, apparently feared Niyazov would close the Center and ordered its staff not to seek confrontation and to rewrite its reports.

Latest Developments

Although officials in Ashgabat told Commission staff that provisions of the religion law would be reconsidered at the end of December, the *Halk Maslakhaty* (People's Council) never raised the issue. As of March 2000, the law's requirement of 500 members for registration remains in effect.

At the December 27–29 session of the *Halk Maslakhaty*, Turkmenistan acceded to the Second Optional Protocol of the International Covenant on Civil and Political Rights, abolishing the death penalty. But at the same forum, the delegates on December 28 passed a resolution enshrining a constitutional law that accorded Niyazov, "First President of Turkmenistan elected by the people, the exclusive

right to exercise the powers of head of State without restriction in time," essentially making him president for life.[18] The move, which many had long been expecting and which Turkmenistan's media had advertized, underscores Niyazov's consistent disdain for OSCE standards: the 1990 Copenhagen Document obliges participating States to hold regular, competitive elections.

Despite a totally stage-managed parliamentary election, his own virtual coronation and absolute control, Niyazov remains fanatically intolerant of any criticism. On January 5, 2000, police arrested Nurberdy Nurmamedov, perhaps the last remaining human rights activist in Turkmenistan and head of *Agzybirlik* (Unity), the country's oldest—unregistered—opposition group.[19] The charges supposedly arose from a civil dispute between Nurmamedov and a business partner, but he has been charged with threatening murder and hooliganism. Not coincidentally, in interviews with RFE/RL, Nurmamedov had openly criticized the December parliamentary election and the decision of the *Halk Maslakhaty* to crown Niyazov president for life.

To add insult to injury, Turkmen authorities followed up on January 18 by placing Nurmamedov's son Murad under house arrest on charges of armed hooliganism—*while John Wolf, the State Department's Special Adviser to the President and Secretary of State on Caspian energy diplomacy, was in Ashgabat negotiating an inter-governmental framework agreement on the Trans-Caspian gas pipeline.* On February 25, a Turkmen district court sentenced Nurberdy Nurmamedov to five years in prison for hooliganism and intent to commit murder. His son Murad was sentenced to two years in prison on charges of hooliganism. Foreign diplomats were barred from the court proceedings.

Turkmen persecution of relatives of real or imagined opposition activists is common. For example, on December 20, the brother of Sapar Yklymov, who has been in exile since 1995, was sentenced to 11 years for alleged tax evasion and extortion, and his two businesses were confiscated. Turkmen security agents had warned Yklymov's brothers that he should cease his political activities abroad or his family would suffer.

Conclusions

Turkmenistan remains the most repressive of the former Soviet states, and Saparmurat Niyazov's grip on power is tighter than ever. When he spent six weeks in Germany in Fall 1997 for a heart bypass operation and recovery, there was no sign of any attempt by anyone to undermine his position. As for his own promises to liberalize, Niyazov told the parliament on April 30 that he would transfer some of his oversight powers to the legislative branch. The necessary constitutional amendments would be worked out by a special commission, chaired by Niyazov, and the People's Council would approve the proposals at its next meeting in December. Nothing of the sort took place, not that it mattered. Even had any amendments been adopted, they would not have diminished Niyazov's control in the slightest; in March 1998, on the eve of his visit to Washington, Niyazov had said virtually the same thing, adding that he planned constitutional amendments to give his people an expanded role in the government.

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[18] In a January 13 Statement to the OSCE Permanent Council, the U.S. Mission expressed its dismay, adding that "President Niyazov's term was previously extended to 2002 by a badly flawed national referendum of dubious constitutionality. This latest step...removes the last pretense of democracy from Turkmenistan's electoral system."

[19] Helsinki Commission staff met him in October 1991; even at that relatively liberal time, a Turkmen official insisted on being present during the conversation, something Commission staff encountered nowhere else in the Soviet Union.

Meanwhile, the all-embracing cult of personality—which Niyazov occasionally justifies as a temporary necessity to give the population something to believe in now that communist ideology is dead and nothing has replaced it—has taken even more extreme, megalomaniacal forms. A frequently cited example is the gold statue of Niyazov in central Ashgabat which rotates so that he always faces the sun (or vice versa) and the nearby statue which portrays the infant Niyazov being offered to a grateful Turkmen nation.

Niyazov's control of the levers of power and the state's coercive apparatus appears total, which allows him to act with the arbitrary capriciousness of an absolute dictator. The results are dire for human rights activists, real or imagined, or anyone he considers a political opponent. According to Western diplomats in Ashgabat, Niyazov seems to see opposition activists as personal enemies. Requests for clemency towards those in jail reportedly make him angry.

Niyazov's orchestration of his own coronation as leader in perpetuity is genuinely ominous, and not only for Turkmenistan. Turkmenistan is certainly the most repressive of the former Soviet republics but that does not mean Niyazov's example is too far beyond the bounds for others to follow. He has been a pioneer in Central Asian perversion of democratic norms and OSCE standards. Niyazov was the first to hold a referendum extending his tenure in office, a stroke later copied by Kazakstan's Nazarbaev and Uzbekistan's Karimov. Though both have recently ensured their term in office for the next seven years, and have no plausible need to anoint themselves president for life, there is no guarantee they will not. They have the comfort of precedent and, if OSCE does not react adequately, the knowledge that such brazenness entails no serious consequences.[20]

Whereas Uzbek officials now refer constantly to the Islamic threat, Turkmen officials repeat the rote argument that Turkmenistan is an Asian country, with its own culture and traditions, which make a quick adoption of Western norms impossible. Given the level of repression in the country, officials almost never deviate from Niyazov's line on any issue so it is difficult to know whether they believe what they say or are simply too afraid to say anything else.

Saparmurat Niyazov has never demonstrated the slightest inclination to loosen his absolute control of Turkmen society, to rethink his views or to regard seriously the commitments he undertook when Turkmenistan joined OSCE in 1992. Unfortunately, there is no reason to expect any liberalization in Turkmenistan while he is in power.

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In November 1997, Paris-based Reporters Without Borders concluded that "Turkmenistan and Uzbekistan are still states where the rule of law is unknown, notwithstanding declarations to the contrary by their leaders, especially Uzbek head of state Islam Karimov. These two countries remain the most isolated countries of the former Soviet Union and press freedom is no more than a mirage."

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[20] Turkmenistan's representative to the OSCE assured the Permanent Council that the decision had been made by the People's Council, the "highest representative authority in Turkmenistan." As for OSCE principles and commitments, he argued, the law does not replace or amend Turkmenistan's Constitution, which reflects the letter and the spirit of the OSCE. Moreover, he continued, the law does not make Niyazov president for life: "the law only grants the right," which Niyazov has not exercised and "no one in Turkmenistan has canceled the presidential elections for 2002."

Aware of Uzbekistan's poor reputation and anxious to be perceived as a serious, Western-oriented leader, President Karimov has taken some steps to try to enhance his image. He has sought to remove the contentious issue of persecution of Christians from the agenda of U.S.-Uzbekistan bilateral relations. But Karimov has not permitted the liberalization of Uzbek society in any other way. Nevertheless, on certain issues, he is vulnerable to pressure.

President Niyazov, by contrast, appears uninterested in improving his image or that of his country abroad, or even in maintaining good relations with Washington. He has not shrunk from arresting people while official U.S. delegations are in Turkmenistan, evidently convinced that U.S. interest in his country's natural gas is the overriding, if not exclusive, determinant of American policy. As for democratization and human rights, Niyazov seems to believe that consistent repression has intimidated into silence not only the population of Turkmenistan, but Washington and other Western capitals as well: having already learned that he refuses to consider their appeals, they have lowered their expectations accordingly. Unless Washington disabuses him of that notion, he has little reason to reconsider his attitude.

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